

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**ROTHSCHILD PATENT
IMAGING LLC,**

Plaintiff,

vs.

H&M SYSTEM SOFTWARE, INC.,

Defendant.

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Case No: 1:22-cv-01161-NLH-AMD

PATENT CASE

JURY TRIAL DEMANDED

DECLARATION

I, Leigh Rothschild, Manager at Rothschild Patent Imaging, LLC hereby declare and state as follows:

- 1) The party against whom judgement is sought is not an infant, incompetent, or in military service.
- 2) On March 3, 2022, Plaintiff filed its Complaint against Defendant alleging infringement of U.S. Patent No. 8,437,797 (“the ‘797 Patent”) titled “Wireless Image Distribution System and Method,” by Defendant’s Studioline MediaCenter software, and any similar products (“Product”).
- 3) Service was properly effectuated by serving Defendant through its registered agent, P&P Aviation, Inc., at 1232 Choptank Rd., Middletown, DE 19709 on March 21, 2022.
- 4) Defendant was required to file an answer to the complaint on April 21, 2022.
- 5) Defendant has defaulted in the appearance in the action because to date, it has not filed an answer or otherwise responded to the complaint.
- 6) On July 29, 2022, the Clerk of the Court issued the Clerk’s Certificate of Default.

7) In evaluating damages for patent infringement, several factors must be examined, including but not limited to:

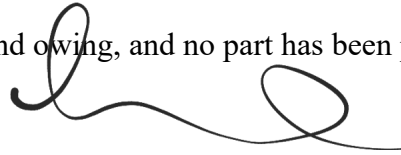
- a. The Defendant's use of the technology that the subject patent covers, and
- b. The Defendant's revenue derived from that usage.

8) RPI has previously licensed the '797 Patent, ranging from one-time payments of \$5,000 to \$40,000.00 U.S.D. in exchange for a license for the life of the '797 Patent. To date, the average license amount is \$14,619.05

9) Thus, RPI believes that the appropriate measure of damages should be at least \$14,619.05 and as much as \$40,000.00.

10) This amount sought is justly due and owing, and no part has been paid.

Executed on November 10, 2022.



Leigh Rothschild

November 10, 2022